(3)

C.D. 1001

(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 2585 /2006

PETITIONER : Nageshwar Prasad Kaushik Son of Late Shri Shyamlal Kaushik, aged about 45 years, Suspend employee, Assistant Sub Inspector, Krishi Upaj Mandi Samiti, Naila-Janjgir, District Janjgir-Champa (C.G.).
Resident of Ward No.3, Naya Talab Para, Naila, Tahsil and District Janjgir-Champa (C.G.).

P.F. No. 25/3/06
Presented by : V.K. Pandey
dated 20/3/06

VERSUS

RESPONDENTS :
1. C.G. Rajya Krishi Vipnan Board, Through: Its Managing Director, Raipur (C.G.).
2. The Deputy Director, C.G. Rajya Krishi Vipnan Board, Bilaspur, District Bilaspur (C.G.).
3. The Secretary, Krishi Upaj Mandi Samiti, Naila-Janjgir, District Janjgir-Champa (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND/OR A SUITABLE DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER

(37)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP/2535/ सन् 2006

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11-5-2006 Mr. V.K. Pandey, counsel for the petitioner. Heard on admission. By this writ petition under Article 226/227 of the Constitution of India, the petitioner has prayed that respondent No.2 be directed to revoke the suspension order dated 29-12-2001 and direct the respondents to consider the representation of the petitioner. The case of the petitioner is that he was working as Assistant Sub Inspector, Mandi Samiti, Naila-Janjgir and during that period some false and fabricated criminal case against the petitioner and six other persons was registered in that connection. The petitioner was kept under judicial custody for 48 hours, therefore, respondent No.2 suspended the petitioner on 29-12-2001 and charge sheet has been filed in that case and the trial has been stayed on account of the stay granted by the High Court in a petition wherein the accused persons have challenged the framing of charges against them. No departmental enquiry has been initiated against the petitioner so far and even the Mandi Samiti has passed resolution dated 28-1-2004 for revocation of suspension on the ground that the criminal case is likely to take some more time. It is admitted position that the petitioner has been suspended on account of criminal charges against him and more over, charge sheet has already been filed against the petitioner. In the circumstances, no rule can be issued directing respondent No.2 to revoke the suspension order of the petitioner. It is for the respondents to consider the case of the petitioner, whether the petitioner is entitled for reinstatement or not, in accordance with law. The petition is disposed of. Sd/- L.C. Bhadoo Judge	

Soma

16/5/06

[पीछे देखिये